



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	<b>Board of Electrical Examiners</b>
MEETING DATE AND TIME:	<b>Wednesday, May 5, 2010</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES APPROVED:	June 2, 2010

**MEMBERS PRESENT**

Ronald Marks, President, Professional Member  
Robert Sharp, Vice-President, Professional Member  
Jerry Craig, Professional Member  
Richard Millar, Public Member  
Robert Sharp, Professional Member  
Robert MacLennan, Professional Member  
William Poore, Public Member  
Frank Beebe, Public Member

**ABSENT**

Joseph Sparco, Professional Member  
Donald Collins, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Patricia Oliva, Deputy Attorney General  
Judy Letterman, Administrative Specialist III

**ALSO PRESENT**

Terry Burke, Court Reporter  
Jon Navert  
Dempsey  
Robert Gebhart

**CALL TO ORDER**

Mr. Marks called the meeting to order at 8:55 a.m.

## **REVIEW OF MINUTES**

A motion was made by Mr. Sharp, seconded by Mr. Poore to approve the minutes of November 4, 2009, December 2, 2009, January 6, February 3 and April 7, 2010. The motion was unanimously carried.

The minutes have been pending receipt of the Decision & Orders from the Rule to Show Cause Hearings.

## **UNFINISHED BUSINESS**

### Signing of Decision and Orders

The Board signed the orders from the Rule to Show Cause hearings. The orders from the April hearings were not available for signature.

### Rule to Show Cause Hearings

#### Jon Navert

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Navert gave testimony and answered questions of the Board.

The Board went into deliberations.

A motion was made by Mr. Marks seconded by Mr. Sharp, to accept the ce, flag his file for audit and he inform him that he cannot use this ce for next renewal period. The motion was unanimously carried

#### John Stalling

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Stallings was not in attendance.

The Board went into deliberations.

A motion was made by Mr. Sharp seconded by Mr. MacLennan, to revoke his license. The motion was unanimously carried.

Edward Simon

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Simon was not in attendance.

The Board went into deliberations.

A motion was made by Mr. Sharp seconded by Mr. MacLennan, to revoke his license. The motion was unanimously carried

Bruce Goldsborough

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Goldsborough was not in attendance.

The Board went into deliberations.

A motion was made by Mr. Poore seconded by Mr. Craig, to revoke his license. The motion was unanimously carried.

Robert Locklear

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Locklear was not in attendance.

The Board went into deliberations.

A motion was made by Mr. Beebe seconded by Mr. MacLennan, to suspend his license until he provides certificates of attendance for courses listed on the letter from Sussex Tech. The motion was unanimously carried.

Michael Hartless

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Hartless was not in attendance.

The Board went into deliberations.

A motion was made by Mr. Marks seconded by Mr. Beebe, to revoke his license. The motion was unanimously carried.

Gary Sargent

Ms. Oliva stated that today's hearing was the result of the Board's post renewal audit, the Board issued notice to show cause as to why his license should not be suspended or revoked or otherwise sanction based on his failure to submit documentation of completing the required continuing education.

The Board reviewed the exhibits presented by Ms. Oliva, which included proof of receipt of the notice of today's hearing.

Mr. Sargent was not in attendance.

The Board went into deliberations.

A motion was made by Mr. Sharp seconded by Mr. Craig, to revoke his license. The motion was unanimously carried.

Richard Porter

Ms. Oliva informed the Board that the "green" return receipt card from the US Postal Service, of the notice of today's hearing for Mr. Porters, had not been returned to the Board office. Since the Board did not have proof that Mr. Porter was informed of today's hearing, it will have to be rescheduled.

### Re-review of Applications

A motion was made by Mr. MacLennan seconded by Mr. Sharp, to approve the applications of Bruce Lukens and Ronald Raines. The motion was unanimously carried.

### Complaint Open/Closed

01-01-06-Forwarded to AG's Office  
01-06-08-Forwarded to AG's Office  
01-09-08-Forwarded to AG's Office  
01-10-08-Forwarded to AG's Office  
01-01-09-Assigned  
01-02-09-Forwarded to AG's office  
01-07-09-Forwarded to AG's Office  
01-08-09-Forwarded to AG's Office  
01-09-09-Forwarded to AG's Office  
01-11-09-Forwarded to AG's Office  
01-12-09-Forwarded to AG's Office  
01-13-09-Forwarded to AG's Office  
01-14-09-Forwarded to AG's Office  
01-15-09-Assigned  
01-16-09-Forwarded to AG's Office  
01-17-09-Assigned  
01-18-09-Assigned  
01-01-10-Assigned  
01-02-10-Assigned  
01-03-10-Assigned  
01-04-10-Assigned  
01-05-10-Assigned  
01-06-10-Assigned  
01-07-10-Assigned  
01-13-10-Forwarded to AG's Office

### Propose to Deny Applications

A motion was made by Mr. MacLennan, seconded by Mr. Sharp to deny the application of Michael Wolfe and Michael Dunn since they did not request a hearing after being notified of the Board's proposal to deny the application. The motion was unanimously carried.

### **NEW BUSINESS**

#### Ratification of Application

No applications.

#### Review of Reciprocity Applications

A motion was made by Mr. MacLennan, seconded by Mr. Craig, to approve the applications of Anthony Oliveri, Richard Cocchi, Gregory Wilson, Salvatore Cascio, Jr., Daniel Norcross and George Lang. The motion was unanimously carried.

A motion was made by Mr. Sharp, seconded by Mr. MacLennan to propose to deny the applications of Vincent Campbell, Jr. since his 5 years of experience after licensure does not show experience in residential, commercial or industrial wiring. The motion was unanimously carried.

#### Review of Examination Applications

A motion was made by Mr. MacLennan, seconded by Mr. Craig, to approve the master exam applications of Barton Quick, James Rowland, Mark Bennett, Sean Christie, Allen Pennington, Thomas Patterson and Ernest Dillard. The motion was unanimously carried.

#### Review of Continuing Education

The following continuing education courses were reviewed and approved or denied as indicated:

Delaware Technical Community College  
Programmable Logic Controllers, 10 hours

BlueVolt  
NECA Grounding and Bonding, 8 hours  
Fire Alarms I, 5 hours  
OSHA 30 Construction Safety, 5 hours  
OSHA 10 Construction Safety, 5 hours

Robert Keis/George Landing, Sr.  
Arc-Fault Protection/Safety-NFPA 70E

Richard Van Wert  
Solar PV System Calculations, 8 hours

AAA Contractor Training  
Selected 2008 NEC Updates, Part 2, 5 hours  
Selected 2008 NEC Updates, Part 1, 5 hours

National Training Institute  
2008 NEC-Code Analysis-Swimming Pools, 5 hours

George Landing  
Requirements for Electrical Installations, Articles, 110, 210& 300, 5 hours  
Articles 225, 230, 240, & 250 Installation of Outside Branch Circuits, Feeders, Service Disconnection Means, and Overcurrent Requirements, 5 hours  
Articles 725,760,770,800 & 820 Installation of Circuits, Cables and Equipment for 2008 NEC compliance, 5 hours

#### Discussion of Homeowner Permits

The Board discussed the of the current application process, issues concerning proof of ownership, repeat applicants and no process in place that verifies the work has received a final

inspection. The Board has great concerns that the public is at risk when the work is completed by non-licensees, the homeowner or unlicensed contractor, and not inspected.

The Board asked Ms. Davis-Oliva to draft legislative language to delete the entire homeowner permit section of the statute, which would require homeowners to obtain a licensed electrician for electrical services.

Ms. Davis Oliva will draft the proposal for Board review.

#### Discussion of Solar Installations

The Board discussed electrical services in regards to solar installation and emergency generator installation and agreed that a licensed electrician must install this type of electrical service. The Board recommended sending this information to all the inspection agencies.

#### Correspondence-Town of Middletown

The Board received a letter from the Town of Middletown informing them that the town would no longer accept a “survey” inspection as the final inspection and asked that the Board notify the inspection agencies of their decision. The Board considered the letter, which will be filed.

#### **OTHER BUSINESS BEFORE THE BOARD**

The Board was informed that 13 licensees had not responded to the post renewal audit. The Board recommended scheduling the hearings for the May and June meetings.

Mr. Sharp informed the Board of a newspaper article concerning one of the inspection agencies and was informed by Ms. Davis-Oliva that there was an on going complaint.

The Board was informed that Chris Spizzirri, the Board’s previous DAG, had drafted proposed legislative changes at the Board’s requests, which the Board has not reviewed or discussed. The draft will be forwarded to the members for discussion at the June meeting.

#### **PUBLIC COMMENT**

Mr. Gebhart asked the Board questions concerning installation of generators and obtaining electrical bids without a license. Mr. Marks referred him to section 1401 and 1402 of the statute and stated that if his questions were concerning a filed complaint, the Board could not address his questions.

#### **NEXT SCHEDULED MEETING**

The next scheduled meeting will be held on Wednesday, May 5, 2010 in Conference Room A, second floor of the Cannon Bldg. 861 Silver Lake Blvd. Dover DE.

#### **ADJOURNMENT**

A motion was made by Mr. MacLennan, seconded by Mr. Craig to adjourn. The motion was unanimously carried. The meeting was adjourned 11:30 a.m.

Respectfully submitted,

Judy Letterman  
Administrative Specialist III